

## MINUTES

### PLANNING & ZONING COMMISSION REGULAR MEETING OCTOBER 14-2021-6:30 PM

The meeting was called to order by Bruce Neff, Acting Chairperson. Mike Cook called the roll to which a quorum responded as follows: Mr. Kristan, Mr. Neff, Mr. Palermo and Mr. Zarlenga.

Absent: Mr. Decapua.

Under **MINUTES**, the Minutes from the Regular Meeting on September 9, 2021 were approved as presented.

Under **OLD BUSINESS**, there was none.

Under **NEW BUSINESS**:

**ITEM A: A recommendation to council to amend Canfield Codified Ordinance Section 1161.01(i) Parking of Recreational Vehicles.**

**ZONING INSPECTOR:** Where it says customary or reasonable time to have an RV, boat, trailer, etc. in the front yard, we have to put a time limit on there. I had someone come into Mayor's Court after he had it there for a week. It doesn't say there is any time involved. So, our customary answer is 3 days. So, we don't have anything in the ordinance and we talked about it and we put 4 days in the ordinance. After 4 days, then they'll be cited.

**ATTY. FORTUNATO:** They'll get a letter first. Then if they don't comply, then they'll be cited. Mike was right, he recognized that we probably needed to be a little more certain, rather than ambiguous in how long you can, clean, load, unload, an RV, etc. in your front driveway or front yard. We thought 4 days was a reasonable period of time. Knowing frankly, they're not going to get cited on the 5<sup>th</sup> day. They'll get a letter from Mike at some point. But at least we have some teeth now to enforce it. Most people comply with this. But we did have somebody in Mayor's Court raise the issue of what is a reasonable period of time. That's a good case. You try to be reasonable and nice and somebody takes advantage of it. So, now we have a hard 4 days and go from there. We would ask administratively if you would recommend this to Council.

**MR. NEFF:** Just to review. A homeowner is allowed to park an RV, if he has room on the side.

**ZONING INSPECTOR:** Side yard, rear yard. Boat, trailer, RV.

**ATTY. FORTUNATO:** But when people are loading and unloading, washing and stuff, it's on the driveway or front area and they. We want that for only 4 days.

MR. NEFF: If it is a recreational vehicle, side parking, does it have to be paved?

ZONING INSPECTOR: No.

MR. KRISTAN: Mike, does the clock start again every time the vehicle moves?

ZONING INSPECTOR: Yes.

MR. KRISTAN: So, if it's there 4 days, they take it out for a couple of hours a pull it back.

ZONING INSPECTOR: Once I see it's gone I don't watch it again until the following Monday and I'll check on it.

MR. KRISTAN: But I'm sure someone will be watching.

ZONING INSPECTOR: I get mostly calls. People call all the time.

MR. KRISTAN: It's 4 days continuous, weekends, weekdays, doesn't matter, 4 days is 4 days.

ATTY. FORTUNATO: Right.

ZONING INSPECTOR: This will go to Council for a public hearing and come back to you again next month.

MR. PALERMO: Just a comment. I think there is a misspelling on that. Under cleaning and loading it says, unloading. Is unloading a term?

ATTY. FORTUNATO: We'll fix that.

MR. PALERMO: The point about continuous days or something. Do other cities have some sort of timeline, so many in a two-week period or a month period?

ATTY. FORTUNATO: We have that in a few sections of our ordinance. We could do something like that. I would not hesitate to cite somebody though or prosecute somebody who had it there for 4 days, took it for a spin for an hour and brought it back. To me, that's .....

ZONING INSPECTOR: You have the same habitual people in the city every year. I could pre-write letters in January and know where at least a dozen of them are going.

ATTY. FORTUNATO: But it's not, I can't tell you the last person we ever cited for this. The one but before that a long time.

MR. PALERMO: We got a couple places they can store them.

ATTY. FORTUNATO: I'd like to go with this, if that's okay with you and if we have to tweak it again, we will.

ZONING INSPECTOR: Bruce read the recommendation. Consider that as him reading the Motion. I just need a second and we can take a vote.

MR. PALERMO: Second.

ROLL CALL ON MOTION:

4 Votes-Yes

0 Votes-No

Motion passes.

ITEM B: A recommendation to Council Amending Canfield Codified Ordinance Section 1183 (c)(i) Temporary Construction Signs.

ATTY. FORTUNATO: This one is pretty straight forward. We're limiting the size of construction sign to 6 sq. ft per side; which is a pretty standard construction sign. Mike, again, most of these zoning changes.....

ZONING INSPECTOR: I sent you this one. That just popped up a couple months ago. Reading the ordinance, I couldn't even send a letter. It's Johnson's and Johnson's law firm. They would have seen the letter and said it doesn't say anything about size.

ATTY. FORTUNATO: So, again, this is temporary signage, our old ordinance said the maximum permitted sign area of a construction sign shall be 40 sq. ft. and contain no more than 20 sq. ft. per sign face. That's darn big. So, we limited that now to 6 sq. ft. per side. That's the recommendation we'd like to make to Council.

MR. KRISTAN: Am I understanding it's 2 sides. You can't do triangular.

ATTY. FORTUNATO: 2 sides. Two individual sign faces. This doesn't address like a development sign. That would have a plat map. That's a whole different kettle of fish. This is roofing, something in somebody's house where there is a construction sign. We think 6 ft. per sign face is big enough.

MR. ZARLENGA: 2 x 3.

ATTY. FORTUNATO: That's your standard.

MR. NEFF: Is that a standard? Okay.

ZONING INSPECTOR: I think that's what yours is 2 x 3.

MR. PALERMO: When we say temporary, is there any time limit on temporary?

ZONING INSPECTOR: As long as your working there.

ATTY. FORTUNATO: Ongoing construction. That really gets tough but we haven't cited people. Mike is really good about telling somebody, hey your sign has been there a month. You put the roof on 2 weeks ago and people remove them. We say, we made that change some years ago, current ongoing construction is in progress. So, jobs done, take your sign. Again, Mike would send them a letter, they have 30 days to comply.

ZONING INSPECTOR: I've pulled a majority of them. I got called out by a few people. That said, you took my sign. You've been there 3 days, you haven't come back for the last 4 or 5 days, so I removed your sign for you. If you want it, it's at Public Works. That is mostly how that goes.

MR. PALERMO: This is for all areas in the city, residential, commercial, it doesn't matter?

ZONING INSPECTOR: Doesn't matter.

ATTY. FORTUNATO: Every district.

ZONING INSPECTOR: Bruce read the Motion, if we can get a second, I'll call the roll.

MR. PALERMO: Second.

ROLL CALL ON MOTION:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MR. NEFF: That completes what we have on the agenda.

ZONING INSPECTOR: There was a replat there for an easement and the property sold, so I removed that from the agenda. That will be back on next month. The new owners are going to come in with that replat.

MR. NEFF: Corey would you like to address?

MR. MCLAIN: Corey McLain, 369 E. Main Street. I'm curious, what is the historic district, where do the boundaries start and end?

ZONING INSPECTOR: I'll get an historic drawing.

MR. MCLAIN: What is the purpose of our historic district?

MR. NEFF: To preserve the buildings and the history of the structures that are in the historic district and keep them maintained.

MR. MCLAIN: If you change the look of a building, when do you have to get approved from Design Review. Is it the shape or the color? How does that work?

MR. NEFF: Yes, you'd have to go before Design Review. Actually, Design Review right now, I believe, Mark, is looking at recommendations from a consultant on improving our guidelines for Design Review.

ATTY. FORTUNATO: Yes. It's pretty much everything you would need to pull a permit for. If you're in the design area, you need to get design approval.

MR. MCLAIN: So, if you change the color of your home or change your doors, you'd have to go through Design Review.

MR. NEFF: If it's in the historic district, I believe you do.

ATTY. FORTUNATO: Alterations, means any material or visual change other than maintenance and repair to the exterior of any property within the district.

MR. MCLAIN: So, paint is just maintenance, right?

ATTY. FORTUNATO: People don't come to Design Review for painting. If you put new siding up, that's Design Review.

MR. MCLAIN: If I want to purchase a home in the historic district and tear it down and build a new home, is that possible.

ATTY. FORTUNATO: There is a demolition process. You need to obtain a permit from Design Review for demolition. That's not going to be an easy.....I can tell you many times Design Review based on the historical significance, the architecture or other items has denied a demolition permit. That's happened.

ZONING INSPECTOR: Two since I've been here.

MR. MCLAIN: How long you been here Mike?

ZONING INSPECTOR: 6 years.

MR. MCLAIN: So, if it's a normal structure, I want to tear it down.....

ATTY. FORTUNATO: I'm not going to speculate on that. I'm not going to speculate on what Design Review will do. I'm just telling you what the process is.

ZONING INSPECTOR: The last one they denied was on the corner of Fairground and South Broad. They denied the Kosling house back here on 275 North Broad.

MR. MCLAIN: Okay. Is the historic district, like a mile from the Green and east and west?

ZONING INSPECTOR: Wherever the green is on that map.

MR. MCLAIN: Thank you.

MR. NEFF: This meeting is adjourned.

  
MR. BRUCE NEFF-ACTING CHAIRPERSON

  
MIKE COOK, SECRETARY